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VIRGINIA POLLUTANT DISCHARGE ELIMINATION SYSTEM (VPDES) AND CHESAPEAKE BAY PRESERVATION ORDINANCES – THEY SAY CHANGE IS GOOD?

VPDES Permit Requirement Changes from 5 Acres to 1 Acre

Effective December 4, 2002, the Virginia Pollutant Discharge Elimination System (VPDES) General Permit for Construction Activities VAR10 (formerly VAR 4) has been amended to reduce the amount of land disturbance requiring a general permit from 5 acres to 1 acre. Essentially, this amendment promulgates that any ongoing "small" construction activity (1- to 5-acres of land) that began before December 4, 2002 is now required to submit a Registration Statement with the DEQ by January 3, 2003. In addition, registered sites must have a Stormwater Pollution Prevention Plan (SWPPP) that meets the requirements of the General Permit for Construction Activities within 30 days of the date of coverage under that Permit. Refer to the DEQ guidance document and WSSI's SWPPP preparation template for further information at: www.wetlandstudies.com/information.htm. DEQ Registration Statement and Notice of Termination forms can be obtained from the agency's website at the following link: www.deq.state.va.us/permits/water.html.

Updated Schedule for Chesapeake Bay Preservation Ordinance Changes in Northern Virginia

Every locality is making their Ordinance changes simultaneously. Don't complain. Be Pro-active!
You can:

1. Review the ordinances relative to your sites and see how they affect you.
2. If you can't figure out what it does – tell the respective locality's Planning Commission and Board of Supervisors or Town/City Council.
3. If you are affected, tell them how (give specifics) and what that means financially to you and the local tax base.
4. If you need more time, say so. CBLAD is willing to give more time to localities that ask for more time.

The key is participation. Many landowners, developers and engineers are complaining – but not testifying at the public hearings or providing written comments. Without your participation, the ordinances will not change.

Here is the latest schedule for most Northern Virginia localities and where you can obtain the draft ordinances:

14088-M Sullyfield Circle, Chantilly, Virginia 20151

Phone 703.631.5800 Fax 703.631.5804

Web Page: <http://www.wetlandstudies.com>

Email: contactus@wetlandstudies.com

City of Alexandria

The City of Alexandria anticipates gathering public input on its Chesapeake Bay Preservation Ordinance revisions in late March or early April, with official adoption of the new ordinance expected to occur in June, 2003. Draft revisions to the ordinance are not available at this time for public review.

City of Fairfax

The Planning Commission heard testimony on January 13 and decided to defer any decisions on the matter to January 27 at 7:30 p.m. (to be held at Fairfax City Hall.) The City Council is scheduled to meet on January 28 at 7:00 p.m. at City Hall. It is expected that many of the changes requested during the public hearing will be made by staff prior to the deferred decision hearing. Copies of the revised ordinance should be available soon from the City Planning Administrator, Sue Cotellessa, at scotellessa@ci.fairfax.va.us.

City of Falls Church

The City of Falls Church has planned a council work session to discuss Chesapeake Bay Preservation Ordinance revisions on February 4 in the City Hall Training Room G03 at 7:30 p.m. The Planning Commission hearing has not been scheduled at this time, but is expected to take place sometime in March. Public comments to the ordinance revisions will be accepted at that time. A copy of the draft revisions can be obtained at [WSSI's website \(www.wetlandstudies.com\)](http://www.wetlandstudies.com).

Town of Herndon

The Town of Herndon anticipates a Planning Commission hearing on March 3, with a Town Council meeting to follow on March 11. However, these dates are still tentative. The Town is currently accepting public comments. The draft revisions to the Ordinance can be viewed at [WSSI's web site](http://www.wetlandstudies.com) or obtained by contacting their Community Planner, Michelle O'Hare, at michelle.o'hare@town.herndon.va.us.

Town of Vienna

The Town of Vienna had an information meeting January 15th at the Town Hall. The Town Council public hearing is scheduled for February 3 at 8:00 p.m. in the Town Hall Council Chambers. The Town would like to receive public comment prior to the public hearing. The draft ordinances can be obtained at [WSSI's website](http://www.wetlandstudies.com) or at the following link: http://ci.vienna.va.us/Town_Departments/cbay.pdf.

Fairfax County

Fairfax County's Planning Commission public hearing was held on January 15, but deferred the decision until Thursday, January 23 at 8:15 p.m. The Board of Supervisors meeting is scheduled for Monday, January 27 at 4:30 p.m. in the Board Auditorium at the Fairfax Government Center. However, **it is expected that the Planning Commission will defer their decision for a longer period of time** to allow the County staff to work out issues with the community-at-large, and thus the Board of Supervisors' meeting on this matter will likely be deferred. Copies of the proposed draft ordinance can be obtained at [WSSI's web site](http://www.wetlandstudies.com).

Stafford County

Stafford County's Planning Commission Hearing is scheduled for January 22 at 7:30 p.m. at the Stafford County Administration Center, Board of Supervisors Chamber, with the Board of Supervisors Hearing to follow on March 4 at 1:00 p.m. at the same location. Preliminary copies of the draft ordinances are not available on Stafford County's website, but may be obtained by contacting the acting Planning Director, Jeff Harvey, at (540) 658-8673, or at [WSSI's web site](#).

Note: For the latest local schedule information (and on-line draft ordinance links, when available), please visit WSSI's website at: www.wetlandstudies.com.

For Further Information

Call or Email Wetland Studies and Solutions, Inc. at:

Mike Rolband at mrolband@wetlandstudies.com /703-631-5800, Ext. 103, or
Mark Headly at mheadly@wetlandstudies.com /703-631-5800, Ext, 115.

Or call your WSSI Project Engineer, Scientist or GIS Specialist.

About WSSI:

WSSI has provided wetlands consulting on 70,000+ acres comprising over 1,200 sites in Northern Virginia, D.C. and Maryland and has restored over 800 acres of wetlands and 22,000 linear feet of streams in three wetlands banks and 85 stream and wetlands mitigation projects in this area since its inception in 1991. WSSI's team of 39 engineers, scientists, technicians, GIS/survey specialists and administrative staff takes a holistic approach to environmental issues associated with real estate development and public works projects, integrating the practical constraints of economics and land plan requirements with the need to satisfy local, state, and federal regulatory requirements. For more information about WSSI, visit our web site at <http://www.wetlandstudies.com>.

Attachment (Schedule Matrix)

Chesapeake Bay Preservation Ordinance Revisions Schedule Matrix

LOCALITY	PLANNING COMMISSION	BOARD OF SUPERVISORS/COUNCIL	PUBLIC COMMENT PERIOD
Arlington County (For detailed information, refer to WSSI's January 6 th Newsletter).	Date: January 27 Time: 7:30 p.m. Location: 1 Courthouse Plaza, Suite 307	Date: February 8 Time: 8:30 a.m. Location: 1 Courthouse Plaza, Suite 307	Draft Available for Review and Comment
Fairfax County	Date: Decision on January 23 (May Be Deferred Further) Time: 8:15 p.m. Location: Fairfax Government Center	Date: January 27 (May Be Deferred Based on PC Decision.) Time: 4:30 p.m. Location: Board Auditorium, Fairfax Government Center	Draft Available for Review and Comment
Prince William County	Date: Completed Time: Location:	Date: Completed Time: Location:	Effective Date: February 3, 2003
Stafford County	Date: January 22 Time: 7:30 p.m. Location: Stafford County Administration Center, Board of Supervisors Chamber	Date: March 4 Time: 1:00 p.m. Location: Stafford County Administration Center, Board of Supervisors Chamber	Draft Available for Review and Comment
City of Alexandria	Date: TBD Time: Location:	Date: TBD Time: Location:	Late March/Early April
City of Fairfax	Date: January 27 (Deferred from Jan. 13 Public Hearing) Time: 7:30 p.m. Location: City Hall	Date: January 28 Time: 7:00 p.m. Location: City Hall	Revised Draft Available Soon
City of Falls Church	Date: TDB Time: Location:	Date: February 4 (Council Work Session) Time: 7:30 p.m. Location: City Hall Training Room – G03	Draft Available for Review and Comment
Town of Herndon	Date: March 3 (tentative) Time: 7:30 p.m. Location: Herndon Council Chambers (765 Lynn Street)	Date: March 11 (tentative) Time: 7:30 p.m. Location: Herndon Council Chambers	Draft Available for Review and Comment
Town of Vienna	Date: TBD Time: Location:	Date: February 3 Time: 8:00 p.m. Location: Town Hall Council Chambers	Draft Available for Review and Comment